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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hiroyuki NAGASAKA et al.

Group Art Unit: 2851

Application No.: 10/581,307

Examiner: A. MATHEWS

Filed: September 29, 2006

Docket No.: 128253

For: EXPOSURE APPARATUS, EXPOSURE METHOD, METHOD FOR PRODUCING
DEVICE, AND OPTICAL PART

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


In reply to the April 28, 2009 Restriction Requirement, the shortened statutory period for reply being extended by the attached Petition for Extension of Time, Applicants provisionally elect Group I, claims 1-51 and 57-59, with traverse.

It is respectfully submitted that the subject matter of all claims is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid

unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



Mario A. Costantino
Registration No. 33,565

MAC:jls

Attachment:
Petition for Extension of Time

Date: August 17, 2009

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